

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LOUIS VINCENNIE,

Plaintiff,

v.

XPEDITE SYSTEMS, INC.,

Defendant.

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CIVIL ACTION NO. 05-4033 (MLC)

MEMORANDUM OPINION

THE COURT having issued an order to show cause why the action should not be transferred to a federal district court in New York pursuant to 28 U.S.C. § 1404 (dkt. entry no. 7); and the Court having been concerned that this action should be litigated in New York because (1) the plaintiff is a New York citizen, and (2) the defendant alleges the plaintiff "worked out of defendant's office in Manhattan, New York City, New York" (Rmv. Not., at 2); and now the parties conceding that the action should be transferred to a federal district court in New York (11-4-05 Grispin Def. Letter, 11-8-05 Levins Pl. Letter); and thus the Court intending to (1) grant the order to show cause, and (2) transfer the action to the United States District Court for the Southern District of New York; and for good cause appearing, the Court will issue an appropriate order.

s/ Mary L. Cooper

MARY L. COOPER

United States District Judge